

## **REMARKS**

Applicant is in receipt of the Office Action mailed July 1, 2004. Claims 2, 40, 62, and 92 have been cancelled. Claims 1, 3, 4, 20-25, 39, 47-50, 61, 63, 64, 72-77, and 91 have been amended. New claims 97-101 have been added. Thus, claims 1, 3-39, 41-61, 63-91, and 93-101 are pending in the present case. Further examination and reconsideration of the presently claimed application is respectfully requested in light of the following remarks.

### **Allowable Subject Matter**

Applicant appreciates the allowance of the subject matter of claims 2-25, 28-38, 40-50, 53-60, 62-77, 80-90, and 92-96.

### **Objections**

The Office Action objected to claims 2-25, 28-38, 40-50, 53-60, 62-77, 80-90, and 92-96 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has accordingly amended the respective independent claims to include the allowed subject matter, canceling the dependent claims accordingly, and has updated dependencies among their respective dependent claims as appropriate. New independent claims have been added based on the allowed subject matter to more completely claim the invention.

More specifically, claim 1 has been amended to include the limitations of claim 2, and claim 2 has been cancelled. Dependent claims 3, 4, and 20-25 have been amended to correct their respective dependencies. Claim 39 has been amended to include the limitations of claim 40, and claim 40 has been cancelled. Dependent claims 41, and 48-50 have been amended to correct their respective dependencies. Claim 61 has been amended to include the limitations of claim 62, and claim 62 has been cancelled. Dependent claims 63, 64 and 72-77 have been amended to correct their respective

dependencies. Claim 91 has been amended to include the limitations of claim 92, and claim 92 has been cancelled. New claim 97 includes the limitations of original claim 1 and claim 28. New claim 98 includes the limitations of original claim 39 and claim 53. New claim 99 includes the limitations of original claim 61 and claim 80. New claim 100 includes the limitations of original claim 91 and claim 93. New claim 101 includes the limitations of original claim 91 and claim 94.

#### **Provisional Double Patenting Rejections**

Claims 1, 26, 27, 39, 51, 52, 61, 78-79, and 91 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 10, 11, 12, 21, 22, 23, and 32-33 of co-pending application no. 09/876,983.

Applicant has amended the independent claims to include allowable subject matter, and respectfully submits that the provisional rejection of claims 1, 26, 27, 39, 51, 52, 61, 78-79, and 91 is thereby rendered moot. Removal of the provisional rejection of these claims is respectfully requested.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

## CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-53300/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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